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Application No. 59/9	04,352	Prepared by	J. Kobbins	Tracking Number	05871629
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a. Serial No.	f. Foreign Priority	k. Print Claim(s)	p. PTO-1449
b. Applicant(s)	g. Disclaimer	I. Print Fig.	q. PTOL-85b
c. Continuing Data	h. Microfiche Appendix	m. Searched Column	r. Abstract
d. PCT	i. Title	n. PTO-270/328	s. Sheets/Figs
e. Domestic Priority	j. Claims Allowed	o. PTO-892	t. Other

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#### DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION'

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 ct seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

### DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF

and for which a patent application:

D is attached hereto and includes amendment(s) filed on (if applicable)

was filed in the United States on July 13, 2001 as Application No. 09/904,352 (for declaration not accompanying application)

with amendment(s) filed on (fapplicable)

D was filed as PCT international Application No. on and was amended under PCT Article 19 on (gapplicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before the of the application on which priority is claimed:

EARLIEST FOREIGN APPLI	CATION(S), IF ANY, FILED PRIO	R TO THE FILING DATE	OF THE APPLICATION
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES - NO -
			YES - NO -
			YES - NO -

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE		
60/219,059	July 17, 2000		
60/220,950	July 26, 2000		
00/220,730	July 20, 2000		

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentabilities as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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APPLICATION SERIAL NO.	FILING DATE	PATENTED	PENDING	ABANDONED	
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Thereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by line or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

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	FULL NAME OF INVENTOR	LAST NAME Borders	FIRST NAME Donald	MIDDLE NAME B	0.4.0 - 0.00
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		Donald B. Bo	erleer	aryvy	127,2001
_	FULL NAME OF INVENTOR	LAST NAME Cuttan	FIRST NAME William	MIDDLE NAME V	
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	FULL NAME OF INVENTOR	LAST NAME Francis	FIRST NAME Noreen	MIDDLE NAME D	
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		SIGNATURE OF INVENTOR 2011  None D. F.	um co	DATE August 2	27, 2001
	FULL NAME OF INVENTOR	LAST NAME Jarolmen	PIRST NAME Howard	MIDDLE NAME	
2 0 5	RESIDENCE & CITIZENSHIP	cny Fair Lawn	STATE OR FOREIGN COUNTRY NJ	COUNTRY OF CITIZENSHI USA	P
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		Howard Jaroln	·en	August 2	7,2001

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FULL NAME	LAST NAME	FIRST NAME	MIDDLE NAME	
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ADDRESS		Suffern	NY	10901
	Dichard q. Leese		August 2	7, 2001

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muais	Pl	3,817,973		Bouchaudon et al.	06-18-1974
	P2	3,639,582		Umezawa et al.	02-01-1972
	P3	4,495,348		Kunishima et al.	01-22-1985
	P4	5,629,288		Lattrell et al.	05-13-1997
	PS PS	6,146,872		Ueda et al.	11-14-2000
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformanand not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number.

<sup>&</sup>lt;sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>&</sup>lt;sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

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<u> </u>	Di	NAGANAWA et al., A Novel Fatty Acid From Laspartomycin, The Journal of Antibiotics, Vol. 23, No. 8, pp. 423-424, August 1970						

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	P9	5,028,590		Fukuda et ai.	07-02-1991
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	P11	5,912,226		Baker et al.	06-15-1999
	P12	6,194,383	Bl	Hammann et al.	02-27-2001
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For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document, Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible,

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		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
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	D2	BODANSZKY et al., "Structure of the Peptide Antibiotic Amphomycin", Journal of the Amer. Chem. Soc., 95:7, April 4, 1973, pp. 2352-2357	
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Application Number	09/904,352					
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number.

<sup>&</sup>lt;sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>&</sup>lt;sup>3</sup> Enter Office that issued the document, by the two-letter code (WJPO Standard ST.3).

<sup>1</sup> for Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>&</sup>lt;sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>&</sup>lt;sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Filing Date	July 13, 2001			
First Named Inventor	BORDERS et al.			
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		U.S. Patent Document					
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0	P6	4,524,135		Abbott et al.	435/69	06-18-1985	
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77/	P9	5,028,590		Fukuda et al.	514/11	07-02-1991	
Jen	P10	5,039.789	_	Fukuda et al.	530/317	08-13-1991	
you	P11	5,912,226		Baker et al.	51419	06-15-1999	
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EXAMINER:



Creation date: 02-02-2004

Indexing Officer: RFLORES - REMEDIOS FLORES

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